IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

SECOND APPEAL NO. 840 OF 2005

Smt.Mangala Balaso Bodake & Ors.. ....Appellants.
V/s
Smt.Shantabai w/o Balasaheb @ Maruti Titvekar... ....Respondent.

Mr.A.D.Mali h/f Mr.S.D.Dharmadhikari, Adv. For the appellants.

Mr.S.S.Hardikar, Adv. For respondent Nos. 2 & 3.

CORAM: A.P.DESHPANDE, J.
13/7/07

PC:

Balasaheb married Shantabai in the year 1954 and out of the said marriage the respondents 2 and 3 daughters are begotten. The wife and daughters of Balasaheb instituted a suit for possession against defendant. The defendant claimed that Balasaheb had not married Shantabai and respondents 2 and 3 are not legitimate daughters of Balasaheb. The trial Court rejected the case of the defendant and has held on facts that Balasaheb did marry Shantabai and defendants 2 and 3 are their daughters. So holding suit has been decreed. Aggrieved by the judgment and decree passed by the trial Court the present appellant filed an appeal. The district Court concurring with a view taken by the trial Court rejected the appeal. Two Courts below have concurrently found in favour of respondents. Perused the judgment of the First Appellate Court. Same deals with the evidence on record and reaches a proper conclusion. Judgment does not call for interference at the hands of this Court. No substantial question of law emerges for consideration. Hence Second Appeal is summarily dismissed.

13.7.07